

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE

JIMMY MICHAEL HENRIQUEZ BAEZ
MARGARITA GONZALEZ DE LEON

DEBTORS

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* CASE NO. 19-03575/MCF
*
*
* CHAPTER 13
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**DEBTORS' MOTION REQUESTING ORDER
RE: RATIFICATION OF THE USE OF FUNDS FROM 2019 AND 2020
TAX REFUND**

TO THE HONORABLE COURT:

NOW COME, JIMMY MICHAEL HENRIQUEZ BAEZ and MARGARITA GONZALEZ DE LEON, the Debtors, through the undersigned attorney, and very respectfully state and pray as follows:

1. The Debtors' confirmed Amended Chapter 13 Plan provides that the Debtors' tax refunds will be paid into the Plan. See: *Amended Chapter 13 Plan*, Docket No. 20, *Order Confirming Plan*, Docket No. 26, in the above captioned case.

2. The Debtors have received their 2019 tax refund (\$173.00) and 2020 tax refund (\$900.00) for a total amount \$1,073.00. The Debtors did provide to the Chapter 13 Trustee a copy of the Debtors' 2019 and 2020 tax returns.

3. The Debtors hereby respectfully admits to this Honorable Court that the funds from the aforementioned tax refund were not paid into the Plan. The Debtors used the aforestated funds to pay for the Debtors' medical expenses and utilities, however, the Debtors forgot to request prior Court authorization for the use of the funds from above mentioned 2019 and 2020 tax refunds.

4. The Debtors were in need to use the funds from the 2019 and 2020 "tax refund" to pay for this reasonable expense. Furthermore, the Debtors are living within a very "tight" budget which barely covers her living expenses and a Plan payment of \$250.00.

5. Based on the abovestated, the Debtors respectfully request this Court to Order the authorization of the use of these funds for this expenses.

WHEREFORE, the Debtors, through the undersigned attorney respectfully request that this Honorable Court grant the foregoing motion and allow the use of the funds from the 2019 and 2020 tax refunds by the Debtors to pay for the above stated expense.

NOTICE: Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006 (f) if you were served by mail, any party against whom this paper has been served, or any other party to the action that objects to the relief sought herein shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

I CERTIFY that on this same date a copy of this motion was filed with the Clerk of the Court using the CM/ECF system which will send notice of same to the Chapter 13 Trustee, Alejandro Oliveras Rivera, Esq.; I also certify that a copy of this motion was sent via US Mail to Jimmy Michael Henriquez Baez and Margarita Gonzalez De Leon, the Debtors in the above captioned case.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 10th day of
January, 2022.

/s/ Roberto Figueroa Carrasquillo

USDC #203614

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